

(Rev. 4/97)

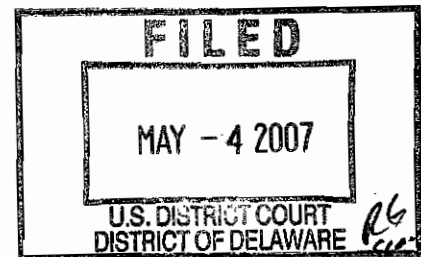
FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

DORIAN D WAINER
(Enter above the full name of the plaintiff in this action)

- 0 7 - 2 4 7 -

V.
DIRECTOR: MRS. HERR
Civil Service Company
(Enter above the full name of the defendant(s) in this action)



requesting Trial

I. Previous lawsuits

A. Have you begun other lawsuits in state or federal courts dealing with the same facts involved in this action or otherwise relating to your imprisonment?
YES [☒] NO [☐]

B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit

Plaintiffs DORIAN D. WAINER

Defendants Sheriff Neil Perry St Augustine Florida
Paul Sweerski Esq. pending
77 settled in 2002

2. Court (if federal court, name the district; if state court, name the county)

Duval County Jacksonville FL, New Castle SE

3. Docket number

n/A for Duval County/New Castle 07-85

4. Name of judge to whom case was assigned

Magistrate Mary Pat Shynge
for pending federal case 07-85-1:07-CV-85

5. Disposition (for example: Was the case dismissed? Was it appealed?

Is it still pending?)

Disposition of Suit against Sheriff Wilbury settled out of federal
Court Jacksonville FL 2002

6. Approximate date of filing lawsuit

1998

7. Approximate date of disposition

Florida case settled out of federal court

- II. A. Is there a prisoner grievance procedure in this institution? Yes ☐ No ☒ No type of process
available for terminated Civil Service Clients - Creek Progress
- B. Did you present the facts relating to your complaint in the state prisoner grievance procedure? Yes ☐ No ☒

- C. If your answer is YES,

1. What steps did you take? X

X

2. What was the result? X

X

- D. If your answer is NO, explain why not

different type of law suit
Against Sheriff deputies

- E. If there is no prison grievance procedure in the institution, did you complain to prison authorities? Yes ☐ No ☒

- F. If your answer is YES,

1. What steps did you take? X

X

2. What was the result? X

X

III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff DORIAN D. WAINER SCI P.O. BOX 500
Address Georgetown, Delaware 19947

(In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and place of employment of any additional defendants.)

B. Defendant Mrs. Herr / Dir. Herr is employed as acting
Director for at Civil Genics Company / Crest Program
300 WEST WATER STREET DOVER, DE. 19904

C. Additional Defendants Civil Genics Company
same address as Dir. Herr

IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet if necessary.)

On Feb 27, 2007, or said date acting Dir. Of Civil Genics Co.
Mrs. Herr terminated me from Crest program, in which she broke
the company philosophy ethics code - which is - help each other
draw strenght from each other; instead of helping me Dir. Herr
listened to a few inmates that did not like me at all, or know me
Continued On Next Sheet Of Paper

Continued Statement Of
Claim

Dir. Herr violated its or company order of rules and regulations, by not giving me termination warning, or last chance contract like other clients in Crest program. Director Herr was prejudice towards me by not giving me the same plain opportunity as other Crest clients of Civil Series Company.

This caused me a violation of a sentencing order which caused pain, stress and suffering mentally and medically, because Director Herr knows I am diabetic, with high blood pressure which this is like trauma to a person in my medical condition to give me a 6 months extended jail term. Dir. Herr violated the first amendment freedom of speech of the Constitution by not allowing me to speak about this at all; I confronted Dir. Herr 2-23-07 before packing and leaving Crest and she said do not talk, I do not want to hear this, still at that time or point not knowing why I was leaving. It took 50 miles of traveling and another institution 7 days, or so see Exhibit A as a court hearing before I knew why I was terminated from Crest Program, which is not normal Crest procedure. On March 9, 2007 Senior DOC Counselor Gella Powers stated in open court to Judge Withem, that the only reason Mr. Wainier is in court is because of notes from other inmates that did not like him, that went to Crest counselors. This is a malice termination, and measurable deceit by not being fair to me as Dir. Herr has been in the same situation to other Civil Series Clients in Crest Program.

Exhibit-A

STAFF LT. COSTELLOREQUEST FOR INFORMATION/ASSISTANCE

PRINT ALL INFORMATION. IF I CAN'T READ IT YOU WILL GET NO ANSWER!!!

Fill out all information requested or you will receive no response. Submit the entire sheet or you will receive no response. DO NOT WRITE ME ABOUT RECORDS ISSUES, COURT DATES, GOODTIME, TRANSFERS TO OTHER FACILITIES OR PROGRAMS, GATE MONEY, BUS TICKETS (READ YOUR MANUAL/BULLETIN BOARD ON WHO TO WRITE) OR MOVING TO ANOTHER POD (HANDLED BY STAFF ON DUTY).

Your Name: DORIAN WAINERToday's Date: 2-25-2007SBI #: 00474316Pod #: 4I REQUEST THE FOLLOWING:

Transportation to: Kent County New Castle County (Circle One) on my release date which will be on . Do not request more than 2 weeks in advance, on holiday or weekend. Apply for a bus ticket.

Clothing dropped off on . List items to be dropped SCCC

(Nothing by mail, No Exception)

Check the ones that apply:

 Games for our pod as the ones we have are worn. Request exception to escape policy. Justify your request:

✓ Other - Do I have a sanction, or any type of violation please also explain - I have been since Feb 23 2007

My sanction is up and I should be returned to my program which is: Request the following items dropped off: Bible Quran Kufi Prayer Rug.Date they will be dropped off

✓ Other: I have never been here before in my life, why am I here in SVOP I have no paper work what reason caused me to be sent here? PLEASE RESPOND! I am transferred to SVOP 2-23-07. Inmate 2-22-2007

FEB 26 2007
SECURITY SUPERVISOR
STAFF LT. COSTELLO

YOU ARE HERE ON AN ADMIN
WARRANT PENDING A COURT
HEARING FOR A VOP.
MR

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments.

Cite no cases or statutes.)

I ask federal Court to have a formal trial, I seek \$25,000 for mental anguish
and 150,000 for pain and suffering causing my diabetes to become uncontrollable
during this period another \$150,000 for measurable malice and deceit
100,000 more thousand for breaking the first amendment of the Constitution
694,000 dollars for causing extended incarceration, because of malice
termination of crest programs by Director Herr which a total 1,119,000

Signed this 30 day of April, 2007.

Dorian Blainer

(Signature of Plaintiff)

I declare under penalty of perjury that the foregoing is true and correct.

April

Date

Dorian Blainer

(Signature of Plaintiff)

IN: Sussex County Bldg. #103
SUSSEX CORRECTIONAL INSTITUTION
P.O. BOX 500
GEORGETOWN, DELAWARE 19947

1767 US POSTAGE PB2230
7973 901.110 MAY 03
1067 687724505 19

Civil
Judicial
Mail

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19801-3570